



## Legislative Bulletin.....June 20, 2007

### Contents:

**H.R. 2764 – PART II** – Amendments to the State, Foreign Operations, and Related Program Appropriations Act, 2008

H.R. 2764, the State, Foreign Operations, and Related Programs for FY 2008 Appropriations Act, 2008 (sponsored by Rep. Nita Lowey, D-NY), is scheduled to be considered on the House floor on Wednesday, June 20, 2007, under a Unanimous Consent agreement.

Note: The UC was agreed to last night at approximately 9 p.m. just after general debate was concluded on the bill, and prior to debate beginning on the amendments. This is a departure from last year's practice and what has been the general practice on appropriations bills in the past, when the UC was agreed upon well into debate on the amendments.

Under the UC, all amendments are debatable for 10 minutes (unless otherwise stipulated), may be offered by the Member or his designee, and the amendment shall be considered to fit the description stated in the UC "if it addresses in whole or in part the object described." Thus, Members are provided latitude to amend their amendment prior to consideration, so long as it still addresses the primary subject described in the UC.

Note: The summaries below are based on RSC staff's review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released earlier today.

**RSC Staff Contact:** Derek Baker; [derek.baker@mail.house.gov](mailto:derek.baker@mail.house.gov); 202-226-8585

---

**Diaz-Balart, Lincoln (R-FL).** Reduces funds for the Department of State Administration of Foreign Affairs Diplomatic & Consular Programs by \$36.7 million (currently at \$3.820018 billion); increases funds for Economic Support Fund by \$36.7 million (currently at \$2.656506 billion). Debatable for 20 minutes.

**Wolf (R-VA).** Reduces funds for the Department of State Foreign Affairs Diplomatic and Consular Programs account by \$108 million; reduces funds for Contributions for International Peacekeeping Activities account by \$50 million; increases funds for Other Bilateral Economic Assistance Economic Support Fund by \$140 million; increases funds for the Non-proliferation, Anti-terrorism, Demining and Related Programs account by \$16 million; increases funds for International Military Education and Training by \$2 million. Debatable for 20 minutes.

**Shays (R-CT).** Decreases funds for Department of State Foreign Affairs Diplomatic & Consular Programs account by \$36.7 million (currently at \$3.820018 billion) by \$1 million; increase funds for the U.S. Institute for Peace by \$1 million (currently at \$25 million). The amendment sponsor states this funding will be to reconstitute an Iraq Study Group.

**Garrett (R-NJ):** Reduces the funds for Contributions to International Organizations by \$20 million (currently at \$1.3544 billion); increases the funds for funds for nonproliferation, anti-terrorism, demining and related programs by \$20 million (currently at \$467 million).

**McCaul (R-TX) / Cuellar (D-TX).** Reduces funds by \$30 million for Contributions for International Peacekeeping Activities (which is being funded at \$185 million over the President's request); increases by \$30 million the International Narcotics Control and Law Enforcement Account. The amendment's sponsor stated that the amendment "partially restores the President's request for INCLE which was \$66 million more than the committee mark up. At a time when the newly elected Mexican government has stepped forward and made a commitment to reform its law enforcement and combat the drug cartels it is important that we provide as much funding and resources to International Narcotics Control and Law Enforcement program as possible."

**Garrett (R-NJ):** Prohibits funds from being used to pay for more than 50 federal department or agency employees to attend any single conference occurring outside the U.S.

**Mack (R-FL).** Increases then decreases funds for International Broadcasting Operations by \$10 million. The amendment sponsor states that this amendment would designate the \$10 million for increasing broadcasts to Venezuela.

**Shadegg (R-AZ).** Strikes the language in the underlying bill that requires 10 percent of the Export-Import Bank loan, guarantee, and insurance authority funds must be used for renewable energy and environmentally beneficial products and services.

**Sherman (D-CA).** Increases funds for the U.S. AID Child Survival and Health Programs Fund by \$65 million (to remain available until September 30, 2009); decreases funds for the International Development Association by \$65 million.

**Payne (D-NJ).** Decreases funds in the Act for U.S. AID Child Survival and Health Programs Fund by \$25 million, then increases funds for the program by \$50 million; decreases the Economic Support Fund by \$25 million. The amendment sponsor states that the amendment is intended to provide an additional \$50 million to fight the global spread of tuberculosis (with a net increase of \$25 million to the account, but earmarking a total of \$50 million to fight tuberculosis).

**Jackson-Lee (D-TX).** The amendment sponsor states that this amendment reallocates an additional \$5 million for Liberia out of the 4365 million Development Assistance account. No amendment text was available from the sponsor's office.

**Blumenauer (D-OR).** Limits the funds appropriated under the Foreign Military Financing Program to no more than \$250 million for Pakistan. Also increases the funds for the U.S. Emergency Refugee and Migration Assistance Fund by \$50 million, and reduces the funds for the Foreign Military Financial Program.

**Culberson (R-TX).** Requires that at least \$20 million of the funding available under USAID Development Assistance be designated for rural water and sanitation projects in East Africa.

**Shays (R-CT).** Increases then decreases funds for the Economic Support Fund by \$50 million. The amendment's sponsor states that this amendment would designate the \$50 million within the Economic Support Fund (ESF) for the Community Action Program.

**Forbes (R-VA).** Prohibits funds in the Act under Economic Support Fund for assistance to Ethiopia from being used until the Secretary of State certifies to the Committees on Appropriations that Ethiopia has released all political prisoners and prisoners of conscience in Ethiopia. Allows the President may waive this limitation if the President determines and reports to the Appropriations Committees that it is vital to the national security interests of the U.S.

**Knollenberg (R-MI).** Reduces funds for International Peacekeeping Activities by \$195 million (currently at \$1.302 billion); increases funds for the Millennium Challenge Corporation by \$195 million.

**Pitts (R-PA).** *Debatable for 30 minutes.* Strikes the provision in the underlying bill that would make the provision in current law **optional** that requires 1/3 of PEPFAR prevention funding be spent on abstinence-until-marriage programs. Thus, the language in the underlying bill would allow the entire AIDS/HIV prevention funding appropriated to be spent on programs **without regard** to how much money is spent on the "Abstinence" and "Be Faithful" components of the ABC Model (where condom distribution and awareness is the third component). The underlying bill language that makes the abstinence-until-marriage funding requirement optional is listed below:

Provided further, That funds made available under this heading and under the heading "Child Survival and Health Programs Fund" shall be made available notwithstanding the second sentence of section 403(a) of Public Law 108-25.

***Thus, the Pitts amendment would strike the problematic language above which waives the current law spending directive that ensures a comprehensive and evidence-based approach to HIV/AIDS prevention.***

Many pro-life and pro-family organizations are scoring this amendment or are strongly supportive, including Christian Coalition, Concerned Women for America, Family Research Council, Focus on the Family, and the U.S. Conference of Catholic Bishops.

**Price (R-GA).** Regarding funding for Israel. **This amendment will not be offered.**

**Ros-Lehtinen (R-FL).** Regarding funding for the U.N. Development program. No amendment text was available from the sponsor's office.

**Moore (D-WI).** Strikes "Liberia" from section 620 in order to allow assistance funds under titles II through V to go to the country of Liberia without notification to Congress first.

**Skelton (D-MO).** Regarding oversight of Iraq reconstruction. **This amendment will not be offered.**

**Weiner (D-NY).** Strikes a portion of the bill that requires that Egypt enact laws that protect the independence of the judiciary, review procedures and training to curb police violence, and investigate smuggling tunnels from Egypt to Gaza before the country can receive \$200 million from the Foreign Military Financing Program.

**Smith (R-NJ) / Stupak (D-MI).** *Debatable for 45 minutes.* Strikes the provision in the underlying bill that would undermine the existing Mexico City policy. The language to undermine the provision is shown below:

*Provided further, That, in order to prevent unintended pregnancies, abortions, and the transmission of sexually transmitted infections, including HIV/AIDS, no contract or grant which includes funding for the provision of contraceptives in developing countries, shall be denied to any nongovernmental organization solely on the basis of the policy contained in the President's March 28, 2001, Memorandum to the Administrator of the United States Agency for International Development with respect to providing contraceptives in developing countries, or any comparable administration policy regarding the provision of contraceptives.*

The Mexico City policy is an Executive Order that requires that foreign non-governmental organizations (NGOs) agree – as a condition of receipt of federal funds for family planning activities – that the organization will not perform or promote abortion as a method of family planning. The Mexico City Policy applies only to family planning programs and is designed to protect the integrity of U.S. funded international family planning programs by creating a bright line of separation between abortion and family planning. ***Thus, this amendment would strike the problematic language above which would allow federal funding to go directly to foreign non-governmental entities that support or promote abortion as a method of family planning.***

The Mexico City Policy and the Smith/Stupak amendment do NOT reduce international family planning funding for services or contraceptives by a single penny. Instead the Policy improves the credibility of international family planning programs by ensuring that they are entirely separated from abortion activities. If the underlying language were to be enacted into law, U.S. family planning dollars would have to be redirected from organizations who have agreed not to promote abortion to organizations who actively promote and provide abortion as a method of family planning. This is not an issue of funding levels, but rather is an issue of prioritizing the kind of organizations that the U.S. supports.

Virtually all pro-life and pro-family organizations are scoring this amendment or are strongly supportive, and some organizations may score final passage of the bill (assuming the problematic language remains), including Christian Coalition, Concerned Women for America, Eagle Forum, Family Research Council, Focus on the Family, National Right to Life, and the U.S. Conference of Catholic Bishops.

**Lowey (D-NY).** *Debatable for 45 minutes.* Regarding changes to Section 622 of the bill (Child Survival and Health Programs Fund), likely dealing with HIV/AIDS funding restrictions.

**Lamborn (R-CO).** Prohibits funds in the Act under the West Bank and Gaza program to be used for any individual, private or government entity, or educational institution that does not expressly recognize the right of the State of Israel to exist.

**King (R-IA).** Modifies the following prohibition in the bill by adding the word in red bold:

None of the funds made available in this Act may be used by the Government of the United States to enter into a **permanent** basing rights agreement between the United States and Iraq.

**Boustany (R-LA).** Strikes section 699 of the bill, which details funding restrictions for providing assistance for Egypt.

**Fortenberry (R-NE).** Decreases the funds for Contributions to International Organizations by \$25 million; increases the funds for the Foreign Military Financing Program for grants to Egypt by \$25 million (currently funded at \$1.3 billion). The amendment sponsor states that the purpose for the increase is to provide funding to “enhance security to interdict the smuggling of arms, weapons, persons, and contraband along the Egypt/Gaza border.”

**McGovern (D-MA).** Prohibits funds from being used for programs at the Western Hemisphere Institute for Security Cooperation at Fort Benning, Georgia. The Institute provides professional education and training for civilian, military and law enforcement students from nations in the Western Hemisphere and is the Defense Department's principal Spanish-language training facility for Latin American military and law-enforcement personnel. Debatable for 30 minutes.

**Weiner (D-NY).** Prohibits funds from being used to give assistance to Saudi Arabia.

**Upton (R-MI) or Harman (D-CA):** Prohibits funds from being used to purchase light bulbs, unless the light bulbs have the "ENERGY STAR" designation.

**Tierney (D-MA):** Reduces the funds for the Economic Support Fund by \$75 million (currently at \$2.656506 billion); increases the funds for Development Assistance by \$75 million (currently \$1.733760 billion). The amendment sponsor states that this amendment is intended to reprogram the \$75 million for basic education and “give Pakistani children an educational alternative to extremist, jahadi-teaching madrasses.”

**Jackson-Lee (D-TX).** The amendment sponsor states that the amendment reallocates \$5 million to the Child Survival and Disease Programs Fund, but it is unclear from which account the \$5 million was transferred from. No amendment text was available from the sponsor's office.

**Gingrey (R-GA).** Prohibits funds from being used to negotiate the participation of additional countries in the visa waiver program described in section 217 of the Immigration and Nationality Act.

**Pence (R-IN).** Either amendment pre-filed in the Congressional Record may be offered by a designee. Both amendments are summarized below.

#1. Prohibits funds in the Act under titles II through V from being used to provide for the distribution of any assets from any liquidation or dissolution of an Enterprise Fund to any entity other than the U.S. Treasury.

#2. Prohibits funds in the Act under titles II through V from being used to provide for the distribution of more than 50 percent of any assets from any liquidation or dissolution of an Enterprise Fund to any entity other than the U.S. Treasury.

**Garrett (R-NJ).** Expands an existing provision in the bill to prohibit funds to be used for any U.N. peacekeeping mission unless the U.N. certifies to Congress that U.N. employees, personnel, or forces involved in trafficking or sexual exploitation are prosecuted in their home countries for such acts. The underlying provision prohibits funds for peacekeeping missions unless Congress is notified of 1) cost and length of the mission, and 2) that the U.N. has taken steps to prevent U.N. personnel from engaging in trafficking or sexual exploitation.

**Ros-Lehtinen (R-FL).** Prohibits funds in the Act from being used by the Department of State as a contribution for the U.N. Human Rights Council.

**Price (R-GA).** Provides for an across-the-board funding reduction of 1 percent (\$342.43 million). Debatable for 20 minutes.

**Poe (R-TX).** Prohibits funds in the bill from being used to provide an immigrant or non-immigration visa to a national or citizen of a country which has notified the Secretary of State of its refusal to extradite to the U.S. any individual indicted in the U.S. for killing a law enforcement officer (as specified in a United States extradition request).

**Poe (R-TX) / Tancred (R-CO).** Prohibits funds in the Act to be used in contravention (violation) of 8 U.S.C. 1253, regarding penalties for an illegal alien's failure to depart the U.S.

**Flake (R-AZ).** Prohibits funds in the Act from being used to fund nongovernmental organizations, specifically named in the report accompanying the Act, outside of a competitive bidding process. According to the sponsor's office, this amendment would seek to ensure that no NGO specified in the committee report receives preference over other worthy organizations that are not named in the report.

**King (R-IA).** Prohibits funds in the Act from being used to fund or support travel by the Speaker of the House of Representatives to Cuba, Iran, North Korea, Sudan, or Syria.

**Goodlatte (R-VA) / Herseth-Sandlin (D-SD).** Prohibits funds from being used to carry out the Diversity Visa Program under sections 201(e), 203(c), or 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1151(e), 1153(c), and 1154(a)(1)(I)). The congressionally mandated Diversity Immigrant Visa Program makes available 50,000 permanent resident visas annually, drawn from random selection among all entries to persons who meet strict eligibility requirements from countries with low rates of immigration to the United States. For more information on this program, visit the [Department of State website](#).

**Pence (R-IN).** Regarding limiting the use of funds for the Palestinian Authority. Amendment text was unavailable.

**Pence (R-IN).** Prohibits funds in the Act from being used for the U.N. Relief and Works Agency for Gaza.

**Musgrave (R-CO).** Provides for an across-the-board funding reduction in the bill of 0.5 percent, except for funding for Israel. Debatable for 20 minutes.

**Jordan (R-OH).** Reduces appropriations in the bill by \$2.956 billion, to the FY 2007 funding level. This represents an approximately 4 percent reduction. Debatable for 20 minutes.

**Conaway (R-TX).** Inserts the sense of the House that “any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.”

**Hensarling (R-TX).** Reduces funds for Contributions to International Organizations by \$203.082 million (from \$1.354 billion to \$1.151 billion), back to the FY2007 level and equal to the President’s request. The Committee provides a 17 percent increase for contributions to international organizations.

**Tancredo (R-CO) / Chabot (R-OH).** Prohibits funds from being used to enforce the provisions in the memo to all Department and Executive Secretaries entitled “Guidelines on Relations With Taiwan.” The memo outlines a series of restrictions that prevent direct communication between officials from the Taiwan and U.S. governments. This amendment would block enforcement of the provisions and allow for direct discussions between U.S. and Taiwanese officials.

**Ros-Lehtinen (R-FL).** Increases by \$24 million and decreases by \$34.7 million funds for the overall budget of International Organization Programs. The result of the amendment would be a \$10.7 million reduction from the \$330.4 million (\$44 million above the president’s request) in the bill.

**Blunt (R-MO).** Prohibits funds in the Act from being used for the International Seabed Authority.

**Shadegg (R-AZ).** Prohibits funds in the Act from being used to provide assistance to any country that provides Iran with technical expertise, training, technology or equipment necessary to develop a nuclear reactor or related nuclear research facilities or programs, or ballistic missile capability.

**Shadegg (R-AZ).** Prohibits funds in the Act from being used to provide assistance to any country that supplies Iran with refined Petroleum.

**Obey (D-WI).** Prohibits funds in the Act for being use for earmarks.

**Lowey (D-NY).** Manager’s Amendment, regarding funding levels for the overall bill. Presumably, this amendment would restore any funds that were subsequently cut from the bill by prior amendments.

###